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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
MARCELO, MELVIN C	

ART UNIT	PAPER NUMBER
2662	

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/934,347	GROENENDAAL, EDWARD JOHN	
	Examiner	Art Unit	
	Melvin Marcelo	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 12 and 13 are objected to because of the following informalities: Claims 12 and 13 appears to inadvertently depend on claim 12. Examiner presumes that these claims are intended to depend on claim 11. Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalrymple et al. (US 6,826,272 B1) in view of Maruyama et al. (US 6,353,847 B1).

Dalrymple teaches a network device with a single call processor (device associated with the LAN including call processor 104 in Figure 1). The applicant's claimed subject matter is directed to a plurality of call processors. In a similar field of invention, Maruyama teaches an arrangement of a plurality of call processors controlled by a main processor used for distributing loading (Figure 2). A skilled artisan would have been motivated to substitute the arrangement of plurality of call processors for the single processor for the reason that a plurality of call processors could process more calls with less delays than a single call processor. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the single call processor in Dalrymple with the plurality of call processors

arrangement in Maruyama. With respect to the claims below, references to the prior art appear in parenthesis.

1. A network device **(Dalrymple, Figure 1, the device associated with the LAN)**, *comprising:*

a) at least one port **(Port associated with PSTN/H323 103)**;

b) at least two call processors, operable to convert incoming call data into outgoing call data **(Obvious to replace the single Call Processor 104 in Dalrymple with the plurality of call processors arrangement of Maruyama)**;

c) a memory operable to store call identifications and any call processor associated with those call identifications **(Obvious feature in the combination of Dalrymple and Maruyama in order to track which call processor (CPR 20 to CPR 2n) is handling the particular calls)**;

d) a central processing unit **(Maruyama, Figure 2, MPR 1)**, *operable to:*

i) access the memory to determine if a call is already associated with a call processor

ii) to assign a call processor if none is assigned; and

iii) update the memory to reflect new assignments **(Obvious feature in the combination of Dalrymple and Maruyama to provide steps I-iii in order to assign a new call to one of the call processor)**.

2. The network device of claim 1, wherein the network device is a gateway **(Dalrymple's device is a gateway, Figure 1)**.

3. The network device of claim 1, wherein the network device is a router **(Dalrymple's device provides routing functions for the clients connected on the LAN, Figure 1).**

4. The network device of claim 1, wherein the central processing unit is one of the call processors **(Obvious since Maruyama teaches that the main processor 1 has the same structure as the call processors 20 to 2n (column 3, lines 38-40) and a skilled artisan would have been motivated to reduce costs by using one of call processor as the main processor).**

5. The network device of claim 1, wherein the memory further comprises ternary content addressable memory **(Obvious to use a commercially available memory in the Dalrymple and Maruyama combination).**

6. A method of controlling calls in a gateway **(Dalrymple, Figure 4)**, *the method comprising:*

a) receiving a call setup message for a call from a sending device **(Step 403: H323 Setup)**;

b) determining if a call processor is associated with the call **(Gatekeeper with Call Processor Interface)**;

c) locating a call processor that has the least amount of processing load, if no call processor is associated with the call **(Steps c to d are obvious in the Dalrymple and Maruyama combination in order to assign a new call to a call processor)**;

d) routing the setup message to the call processor with the least amount of load; and

e) establishing a connection between the call processor and the sending device **(Dalrymple, Figure 4, step 425: H323 Connect).**

7. The method of claim 6, wherein the call setup message is sent with fast start open logical channel **(This channel appears to correspond to H.225 standard (see specification, page 6, lines 6-13) which is used in Dalrymple, column 3, lines 45-55).**

8. The method of claim 6, wherein the call setup message is in accordance with H.225 ***(Dalrymple, column 3, lines 45-55).***

9. The method of claim 6, wherein the call setup message is encapsulated in a UDP packet **(Obvious to use a known standard packet since Dalrymple's device is connected to the WAN/Internet, Figure 1).**

10. The method of claim 6 wherein establishing a connection between the call setup message and the sending device further comprises establishing a logical channel in accordance with H.245 ***(Dalrymple, column 3, lines 45-55).***

11. A network device, comprising:

a) a connection means **(Port associated with PSTN/H323 103);**

b) at least two processing means for converting incoming call data into outgoing call data **(Obvious to replace the single Call Processor 104 in Dalrymple with the plurality of call processors arrangement of Maruyama);**

c) a means for storing call identifications and any call processor associated with those call identifications **(Obvious feature in the combination of Dalrymple and**

Maruyama in order to track which call processor (CPR 20 to CPR 2n) is handling the particular calls);

d) means for:

i) accessing the memory to determine if a call is already associated with a call processor;

ii) assigning a call processor if none is assigned; and

iii) updating the memory to reflect new assignments **(Obvious feature in the combination of Dalrymple and Maruyama to provide steps I-iii in order to assign a new call to one of the call processor).**

12. The network device of claim 12, wherein the means for accessing the memory is one of the at least two processing means **(Maruyama, Figure 2, MPR 1 assigns the call the CPRs 20-2n).**

13. The network device of claim 12, wherein the means for storing call identifications further comprise a ternary content addressable memory **(Obvious to use a commercially available memory in the Dalrymple and Maruyama combination).**

14. An article containing machine-readable code **(Dalrymple, Figure 4)** *that, when executed, causes the machine to:*

a) receive a call setup message for a call from a sending device **(Step 403: H323 Setup);**

b) determine if a call processor is associated with the call **(Gatekeeper with Call Processor Interface);**

c) locate a call processor that has the least amount of processing load, if no call processor is associated with the call **(Steps c to d are obvious in the Dalrymple and Maruyama combination in order to assign a new call to a call processor)**;

d) route the setup message to the call processor with the least amount of load; and

e) establish a connection between the call processor and the sending device **(Dalrymple, Figure 4, step 425: H323 Connect)**.

15. The article of claim 14, wherein the machine is a network device **(Dalrymple's device is in a network, Figure 1)**.

16. The article of claim 14, wherein the machine is a gateway **(Dalrymple's device is a gateway, Figure 1)**.

17. The article of claim 14, wherein the code causing the machine to establish a connection between the call processor and the sending device is in compliance with H.245 **(Dalrymple, column 3, lines 45-55)**.

18. The article of claim 14, wherein the setup message complies with H.225 **(Dalrymple, column 3, lines 45-55)**.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Marcelo whose telephone number is 571-272-3125. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Melvin Marcelo
Primary Examiner
Art Unit 2662

March 21, 2005